WHITMAN BACKS UP OSBORNE METHODS

Will Not Remove Sing Sing Warden-Reports May Be Rejected.

PRISON INQUIRY HELD UP borne insisted on taking them back to Sing Sing, but Mr. Weeks objected. To settle the question the men were led before Justice Morschauser.

ALBANT, Nov. 4 .- Gov. Whitman does not entertain the bellef that the Osborne plan now operating at Sing Sing prison is a failure. He said to-night:

The whole plan should have a fair and complete trial and unless a good deal more develops than has already been brought out it has proved far from a failure."

This statement, following so closely upon the receipt by the State Prison Sheriff's charge your responsibility ends, warden."

"I think the District Attorney has a right to have the men here so that he may confer with them before presenting evidence before the Grand Jury," said the Justice, in granting the State's motion. "When they are placed in the Sheriff's charge your responsibility ends, warden."

Commission of the Diedling report, warden Commission of the Diedling report, charging, it is said, Warden Osborne with incompetence, was something of the department of industries indicates that the investigation will be into the management of every prison department public expression as to how he feels public expression as to how he feels

public expression as to how he feels

about the Sing Sing situation.

The publication of the report of Commissioner Rudolph F. Diedling was expected here to-day, but following treintenance of the Prison Commission it is hinted that he may reveal secrets which will have an important bearing was announced that not only would the report not be given out for publi-cation, but that none of the commis-sioners, not even Dr. Diedling, would comment upon it. Before the meeting of the commission Dr. Diedling sub-mitted memoranda to Gov. Whitman.

Will Keep Hands Off.

While the Governor's statement indi-While the Governor's statement indicates plainly what his position in the Sing Sing situation is, his friends go further and state that it is his belief that of all the charges made against Warden Osborne by various investigators not one would stand the test of least accounts. of legal scrutiny; and further, that until charges which can be con-clusively proven are made he will not interfere with the management of Sing Sling. They say that a study of the prison records shows that the number of escapes during last year was fewer than in the previous year and that the assaults and other crimes alleged to n committed have always been in prison administrations.

he Governor ridiculed the idea that had called off District Attorney he had called off District Attorney Weeks, who is investigating Sing Sing. He characterized this report as absurd. Further hostilities between the State Superintendent of Prisons and the Warden are not looked for. In view of the Governor's statement it is not expected here that the Diedling report will be accepted by the commission

It was learned to-day that the Diedling report not only urges Mr. Osborne's oval as warden but recommends his indictment. A lawyer who saw it describes it as "a hot indictment of things at Sing Sing, with no recommendation of a medal for the warden." Dr. Diedling expects the report to be adopted.

ling expects the report to be adopted, he said this morning.

Superintendent Riley approved to-day the appointment of Stephen Miller as confidential clerk at Sing Sing. He said he could not grant the salary increase asked for Deputy Warden Elihu Church, which is said to have been the cause of the latter's resignation.

Grand Jury Inquiry Put Over.

WHITE PLAINS, N. Y., Nov. 4.—The warden, Dr. George W. Kirchwey, formerly dean of Columbia Law School, and several keepers brought five convicts here from Sing Sing this morning to face the Grand Jury which is to investigate

affairs in the prison.

The warden called at District Attorney Weeks's office and announced his readiness to answer questions at once. readiness to answer questions at once. He expressed disappointment when Mr. Weeks informed him that the formal investigation was to be postponed until Monday, when Justice Morschauser of the Supreme Court will swear in the November Grand Jury. Following this announcement the five prisoners were placed in the county tall here in the

announcement the five prisoners were placed in the county jail here in the face of the warder's protests.

Various opinions are expressed here regarding the effect of developments at Sing Sing and the probable results of the forthcoming inquiry. The predictions vary, according as the prophets expressing them are favorable to Warden Osborne or otherwise.

The warden's opponents betrayed dispunintment when word came from Al-

The warden's opponents betrayed disappointment when word came from Albany, following the receipts of the Diedling report, that Gov. Whitman had expressed a belief that evidence so far presented was insufficient to stamp the Osborne policies as a failure.

While Mr. Osborne's opponents profess to believe that revelations expected to



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be made before the Grand Jury will seal the warden's doom politically there are some who fear that they may also impli-cate Superintendent of Prisons Riley seriously. This premise is based on the assertion that conditions now existing at Sing Sing are not of recent develop-ment. They existed, according to com-mon report, long before the beginning of the Osborne regime. The prisoners brought here to-day are CLEARY IN NEW CITY JAIL; "TERRIBLE JUSTICE" **CAUGHT IN WASHINGTON**

"I Thought It Would Come to This," Is Greeting of Ex-Boss to Sheriff.

The prisoners brought here to-day are the five for whom Justice Morschauser issued writs of habeas corpus last week.

When the District Attorney announced the postponement of the inquiry Mr. Os-

Osborne Makes Objection.

TWO FIGHTS IN PRISON.

One Man Stabbed: Another Hit

With a Coffee Mug.

a pair of shears. His condition is criti-cal. Frank Sellars, a prisoner from

New York county, received a fracture of the skull and his nose was broken when another prisoner struck him with

a heavy coffee mug. This fight took place in the potato cellar. Sellars was operated on in the prison hospital.

OSSINING, Nov. 4 .- Just about the time

A FUGITIVE NINE MONTHS

NEW CITY, Nov. 4 .- "Hello, Larry, I "I object," said the warden. "It is my duty to have these men present at every session of the Grand Jury, and I am responsible for them and am heavily bonded, but I think they should be kept at Sing Sing."

"I think the District Attorney has a hought it would come to this." Such was W. V. Cleary's greeting to

Sheriff Lawrence Serven when the exboss arrived here to-night. He was brought from Jersey City by Under Sheriff De Noyelles and Detective Mc-Cullagh. Mrs. Cleary accompanied her husband to the cell door and bade him a tearful farewell.

WASHINGTON, Nov. 4 .- William V. Cleary, the former Democratic boss of Haverstraw, N. Y., who killed his nineeen-year-old son-in-law, Eugene Newman, was arrested here to-day after a chase of nine months on a warrant charging him with misappropriation of \$10,000 of Haverstraw town funds Cleary was Town Clerk.

Mrs. Cleary was with him when John on the inquiry.

District Attorney Weeks said to-night that he has received the report of Dr. Diedling, but he declined to make public its contents, fearing that it might interfere with the Grand Jury investigation. from a high source it was learned that the report presents arguments against the self-government plan of Warden Os-borne and that the system is held re-sponsible for a lack of discipline.

HAVERSTRAW, Nov. 4.—Residents of this town learned of William V. Cleary's arrest through a special edition of the paper owned by Fred Newman, father of the boy whom Cleary killed in July, 1914. District Attorney Thomas Gagan had received a telegram from the detective who made the capture and a message saying the prisoner would arrive at the New City jail to-night reached Sheriff Serven. Local feeling has changed materially since the day Cleary disappeared. Even some of his former political lieutenants seemed pleased at his arrest. In the election on Tuesday every member of the Cleary faction who held a village, town or county office was swept out.

for fourteen years Democratic boss and Town Clerk of Haverstraw, occurred on July 23, 1914, when he shot and killed Eugene Newman, his nineteen-year-old son-in-law.

Young Newman called at Cleary's office to show him his certificate of marriage to Anna Cleary. Before he had an opportunity to explain Cleary shot him to de-th.

The Town Clerk was indicted for murder in the first degree and on December 17 the trial started. His daughter, the young widow, was called to testify for her father. It was largely on her testimony that Cleary was acquitted. Last April Eugene M. Travis, State Warden Osborne and acting Warden Kirchwey arrived here from White Plains this afternoon there were two fights in the prison.

In an altercation with another convict in the mat shop, Richard Vanderhayden was stabled in the left lung with "His brother, Ambrose

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be \$25.00?—

TT would violate the proprieties of

and overcoats at \$19.75," and yet, as

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sell clothes of equal or better quality at prices

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You ought to compare them.

any other store can or will give.

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William V. Cleary.

Cleary, was dropped from the Demo-cratic ticket for Town Clerk and he went back on Bill's old crowd. I believe some of them who knew where Bill was became soured and 'peached.' Hurd, the new Sheriff, will give Cleary no favors. I hope to get justice at last." Deputy Attorney-General Chalmers will be associated with District Attorney Gagan in the prosecution. The trial is

testimony that Cleary was acquitted.

Last April Eugene M. Travis, State "I believe the political situation here hastened Cleary's arrest," said Newman alleged discrepancies in the Haverstraw accounts and Cleary disappeared. accounts and Cleary disappeare

Lacy & Co Can de de la lacola de lacola de la lacola de lacola de la lacola de la lacola de lacola de

ENDS OPERATIC WAR

Tenor and Basso Hear Stern Sentences and Decide to Make Up.

Once more peace has descended upon the Boston Grand Opera Company, which is playing its New York engagement at the Manhattan Opera House. For have not Paulo Ananian, Arabian basso magnifique, and Zanco de Primo. Russian tenor of the golden voice and statuesque presence, buried the hatchet statuesque presence, buried the hatchet and become as David and Jonathan?

With fire in their eyes and hatred in their breasts the singers strode into the Yorkville police court yesterday and took seats as far separated as possible to await the despatch of each other to the place of all wicked people, the workbouse. Half an hour passed, during which the belligerents listened to Magistrate McQuade give an Irishman and a German two months each in which to cool their ardor for argument on the war in public. They eyed each other and silipped outside.

"This Justice is a 'errible man," gasped Ananian to the tenor. "Look what he does to an Irish American and a German American. We are not Americans. We have only passports.

a German American. We are not Americans. We have only passports. What would be do to us?"
"You speak with commendable wis-dom." said De Primo; "let us become as Mrs. Cleary was with him when John Mrs. Cleary was with him when John McCullagh, former Chief of Police of New York, walked up to Cleary in the Union Station and tapped him on the shoulder. They had wandered to South America and back and both were utterly weary. Cleary is worn and thin and little resembles the vigorous, robust man of two years ago.

He walved extradition proceedings, seemingly glad the chase was over, and will be taken back to Rockland county for trial.

HAVERSTRAW, Nov. 4.—Residents of this town learned of William V. Cleary's arrest through a special edition of the paper owned by Fred Newman, father of the bew whom Cleary killed in July, 1914.

Al Davis Suce Mrs. Helen Kelly. The complaint in the \$100,000 slander suit brought by Al Davis against Mrs. Helen Kelly, mother of Eugenia Kelly, was filed in the Supreme Court yester-day. He alleges Mrs. Kelly circulated atements intimating he was a thief.

Chinese President Father of 31. PEKIN, Nov. 4.—President Yuan shih-k'ai is to-day the father of thirty-me children. The sixteenth son was born this morning.

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black broadcloth shell, and

long shawl collar of Persian

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muskrat) or otter; clean,

The coats are cut full.

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have leather shields. But-

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The Princeton - Harvard football game will be reproduced, as played, in the Auditorium, tomorrow at 2. Plays will be reported by direct wire

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